

AMENDED IN SENATE MARCH 20, 2006

SENATE BILL

No. 1125

Introduced by Senator Chesbro
(Coauthor: Assembly Member Berg)

January 9, 2006

An act to amend Section 6217 of, and to repeal Sections 6217 and 6217.2 of, the Public Resources Code, relating to natural resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 1125, as amended, Chesbro. Natural resources: funding.

(1) Existing law, until July 1, 2006, requires the State Lands Commission to deposit specified money in the State Treasury, and the money to be applied to specified obligations in a certain priority. Existing law requires the Controller to transfer in each fiscal year the remainder of that money, after it is used to meet *the* specified obligations, to the Resources Trust Fund. Existing law requires the Controller to annually transfer specified amounts from the ~~fund~~ *Resources Trust Fund* to the Salmon and Steelhead Restoration Account, the Marine Life and Marine Reserve Management Account, the State Parks System Deferred Maintenance Account, and the Natural Resources Infrastructure Fund, in order of priority, for specified uses upon appropriation by the Legislature.

Existing law, on and after July 1, 2006, requires the specified money that the State Lands Commission is required to deposit in the State Treasury until July 1, 2006, to be deposited by the commission in the General Fund and made available *each fiscal year* for specified purposes.

This bill would repeal those provisions operative on and after July 1, 2006, and delete the repeal date of those provisions that are operative only until July 1, 2006, ~~and~~. *The bill*, instead of requiring the ~~money~~

~~in~~ Controller to annually transfer the amounts specified in existing law from the Resources Trust Fund to be transferred to those accounts and funds fund, would require it to be transferred first to the Controller to annually transfer \$12,000,000 from the Resources Trust Fund to the Salmon and Steelhead Restoration Account in a specified amount, and then in unspecified amounts, to the Marine Life Management Account, which the bill would create in the Resources Trust Fund, and to the Nongame Fish and Wildlife Program Account, which the bill would create in the Resources Trust Fund, in order of priority, for specified uses, upon appropriation in the annual Budget Act.

(2) The bill would make other technical, conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6217 of the Public Resources Code, as
2 amended by Section 3 of Chapter 326 of the Statutes of 1998, is
3 amended to read:

4 6217. With the exception of revenue derived from state
5 school lands and from sources described in Sections 6217.6,
6 6301.5, 6301.6, 6855, and Sections 8551 to 8558, inclusive, and
7 Section 6406 (insofar as the proceeds are from property that has
8 been distributed or escheated to the state in connection with
9 unclaimed estates of deceased persons), the commission shall
10 deposit in the State Treasury all revenue, money, and remittances
11 received by the commission pursuant to this division, and
12 pursuant to Chapter 138 of the Statutes of 1964, First
13 Extraordinary Session, and those funds shall be applied to the
14 following obligations in the following order of priority:

15 (a) To the General Fund, the revenue necessary to provide in
16 any fiscal year for the following:

17 (1) Payment of refunds, authorized by the commission, out of
18 appropriations made for that purpose by the Legislature.

19 (2) Payment of expenditures of the commission as provided in
20 the annual Budget Act enacted by the Legislature.

21 (3) Payment to cities and counties of the amounts specified in
22 Section 6817 for the purposes specified in that section, and the
23 revenues so deposited are appropriated for that purpose.

(4) Payment to cities and counties of the amounts agreed to pursuant to Section 6875.

(b) To the California Housing Trust Fund, each fiscal year, the amount of two million dollars (\$2,000,000).

(c) (1) After meeting the obligations in subdivisions (a) and (b), the Controller shall transfer the balance of all revenue, money, and remittances received by the commission pursuant to this section in each fiscal year to the Resources Trust Fund.

(2) The money in the Resources Trust Fund shall be collected for the purposes of, and held in trust for, preserving and protecting the natural and recreational resources of the state and, for this purpose, the Controller shall annually transfer the following sums from the Resources Trust Fund to the following accounts in the following order of priority:

(A) Twelve million dollars (\$12,000,000) to the Salmon and Steelhead Trout Restoration Account in the Resources Trust Fund. The money in the account shall be appropriated in the annual Budget Act to the Department of Fish and Game for expenditure for the recovery of coho salmon, other species of salmon, and anadromous trout pursuant to Section 6217.1 of this code and Chapter 8 (commencing with Section 2760) of Division 3 of the Fish and Game Code.

(B) ~~Twelve million dollars (\$12,000,000)~~ to the Marine Life Management Account, which is hereby created in the Resources Trust Fund. The money in the account shall be appropriated in the annual Budget Act to the Department of Fish and Game for expenditure for management and protection of marine life pursuant to the Marine Life Management Act of 1998 (Chapter 1052 of the Statutes of 1998) and the Marine Life Protection Act (Chapter 10.5 (commencing with Section 2850) of Division 3 of the Fish and Game Code), including, but not limited to, for fishery management plans, research and enforcement activities relating to marine fisheries, and management and protection of marine protected areas.

(C) ~~Twelve million dollars (\$12,000,000)~~ to the Nongame Fish and Wildlife Program Account, which is hereby created in the Resources Trust Fund. The money in the account shall be appropriated in the annual Budget Act to the Department of Fish and Game for expenditure for management and protection of nongame fish and wildlife trust

1 resources, and law enforcement activities relating to that
2 management and protection, consistent with Section 711 of the
3 Fish and Game Code.

4 (3) The Controller shall transfer any unencumbered balances
5 remaining in the Salmon and Steelhead Trout Restoration
6 Account, the Marine Life Management Account, the Nongame
7 Fish and Wildlife Program Account, and Resources Trust Fund
8 on June 30 of each year to the General Fund.

9 SEC. 2. Section 6217 of the Public Resources Code, as
10 amended by Section 24 of Chapter 240 of the Statutes of 2003, is
11 repealed.

12 SEC. 3. Section 6217.2 of the Public Resources Code, as
13 added by Section 5 of Chapter 326 of the Statutes of 1998, is
14 repealed.